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CRUZ_A.dep

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FILED
DISTRICT COURT OF GUAM

FEB 27 2008

JEANNE G. QUINATA
Clerk of Court

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF GUAM

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ANTONIO Y. CRUZ,

Defendant.

CIVIL CASE NO. 02-00004

NOTICE OF INTENTION TO TAKE
ORAL DEPOSITION WITH
SUBPOENA DUCES TECUM

TO: Antonio Y. Cruz
P.O. Box XXXXX
GMF, Guam 96921

Please take notice that the United States of America, the plaintiff and judgment creditor herein, will on May 9, 2008 take oral deposition of defendant, ANTONIO Y. CRUZ, in the above styled and number case pursuant to Rules 30 and 69(a) of the Federal Rules of Civil Procedure and in aid of collecting its judgment.

Said deposition will take place at the offices of the United States Attorney, 5th Floor, Sirena Plaza, 108 Hernan Cortez Avenue, Hagåtña, Guam at 4:00 p.m. on May 9, 2008 and will continue until completed. Said deposition will be taken before a Certified Court Reporter and will be taken upon oral examination for the purpose of discovery or as evidence or both pursuant to the Federal Rules of Civil Procedure.

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1 Notice is hereby further given that at this deposition defendant, ANTONIO Y. CRUZ, is
2 hereby required to produce all documents described in the accompanying Attachment A.

3 DATED, this 27th day of February, 2008.

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5 LEONARDO M. RAPADAS
United States Attorney
Districts of Guam and the NMI

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MIKEL W. SCHWAB
Assistant U.S. Attorney
JESSICA F. CRUZ
Assistant U.S. Attorney

SCHEDULE A TO NOTICE OF INTENT TO TAKE
ORAL DEPOSITION WITH SUBPOENA DUCES TECUM

1. Full and complete copies of your income tax returns for the past three (3) years filed by you or any business in which you owned an interest, or evidence of request to Department of Revenue and Taxation for filing of extension.
2. Earnings statements from your twelve (12) most recent pay checks.
3. Business records for the present year and past calendar or tax year which reflects assets, liabilities, contingent liabilities, gross receipts and expenses for any sole proprietorship, partnership or corporation in which you or your spouse owns any interest.
4. Current bank statements for the past twelve (12) months from all domestic and foreign banks or other financial institutions where any sole proprietorship, partnership or corporation in which you or your spouse owns any interest has an account of any kind.
5. Current bank statements for the past twelve (12) months from all domestic and foreign banks or other financial institutions where you or your spouse have an account of any kind.
6. All trust agreements in which you or your spouse are named settlor, trustee, or beneficiary.
7. All deeds, leases, contracts, and other documents evidencing encumbrances of any kind on real property owned by you or in which you or your spouse have any ownership interest.
8. All deeds of trusts, mortgages, or other documents evidencing encumbrances of any kind on real property owned by you or in which you or your spouse have any ownership interest.
9. A listing of all stock, bonds, or other securities of any class you own separately or jointly with others, including options to purchase any securities and the actual instruments if in your possession.
10. Current brokerage statements for the past twelve (12) months from any stock brokerage firm or similar entity where you or your spouse have an account of any kind.
11. Title to any motor vehicle owned by you or your spouse.
12. All life insurance policies in which you are either the insured or the beneficiary.
13. All promissory notes held by you, and all other documents evidencing any money owed to you either now or in the future.
14. All financial statements prepared by or for you in the last twelve (12) months and an updated verified Department of Justice financial statement (OBD 500) not more than sixty (60) days old (attached hereto).
15. All deeds, titles, bills of sale, or other documents prepared in connection with any transfer of real or personal property made with you, either by gift, sale, or otherwise in the last twelve (12) months.
16. A schedule of all regular expenses paid by you, such as installment debts, food, utilities, etc. Include the amount paid, the payee, and, if an installment debt, the amount of the debt owing and any security pledged.
17. All documents evidencing any interest you have in any pension plan, retirement fund, or profit sharing plan.
18. A certified copy of any divorce decree granted to you, plus a copy of any property settlement resulting from said divorce, including alimony and child support agreements or orders.